Claim Amendments

Please make the following amendments to the claims:

1. (CURRENTLY AMENDED) A processor-based system, comprising:

a performance control apparatus, comprising a first selector, the first selector being adjustable, between a minimum setting and a maximum setting, to modify one or more performance criteria of the processor-based system, the performance criteria comprising a processor clock rate, a fan speed, and disk usage; and

a performance control application program with a graphical user interface, the graphical user interface comprising at least one application program selector associated with an application program loaded in the processor-based system, wherein the application program selector is adjustable between a second minimum setting and a second maximum setting;

wherein the at least one application program selector enables a user to modify the one or more performance criteria during operation of the application program and the first selector enables the user to modify the one or more performance criteria during operation of the processor-based system.

2. (CURRENTLY AMENDED) The processor-based system of claim 1, further comprising a second selector, wherein the [one or more performance criteria of the processor-based system include] processor clock rate is controlled by the first selector and the fan speed is controlled by the second selector, the first selector and the second selector being independently controllable.

3. (CURRENTLY AMENDED) The processor-based system of claim 2, the first selector of the performance control apparatus further comprising first and second labels disposed at opposing ends of the first selector, the first label indicating the minimum setting and the second label indicating the maximum setting.

4. (ORIGINAL) The processor-based system of claim 3, the performance control apparatus further comprising a display, the display having first and second indicators, wherein the first indicator conveys a processor temperature and the second indicator conveys a relative performance value of the processor-based system.

5. (CURRENTLY AMENDED) The processor-based system of claim 4, wherein the processor clock rate may exceed an optimum clock rate when the first selector is adjusted beyond a predetermined setting, wherein the predetermined setting is not the maximum setting.

6. (CURRENTLY AMENDED) The processor-based system of claim 5, wherein the first selector further comprises a plurality of light-emitting diodes, wherein one or more of the plurality of diodes sequentially lights up when the first selector is adjusted.

7. (CURRENTLY AMENDED) The processor-based system of claim 6, wherein one or more of the plurality of light-emitting diodes change color state when the first selector is adjusted beyond the predetermined setting.

8. (CURRENTLY AMENDED) The processor-based system of claim 1, wherein [the one or more performance criteria of the processor-based system include a processor clock rate and] the application program selector enables the user to adjust and set the processor clock rate during execution of the application program.

9. (CURRENTLY AMENDED) The processor-based system of claim 8, wherein [the one or more performance criteria of the processor-based system include a fan speed and] the performance control application program further comprises a second application program selector for enabling the user to adjust the fan speed during execution of the application program.

10. (ORIGINAL) The processor-based system of claim 1, further comprising a performance control icon, accessible from within the application program, wherein the performance control icon enables the user to modify one or more performance criteria from within the application program.

11. (CURRENTLY AMENDED) A performance control apparatus, comprising:

[a selector] a plurality of selectors for designating one of several settings in a processor-based system, wherein each setting [is associated with] modifies one or more performance-related criteria of the processor-based system, the performance-related criteria comprising a processor clock rate, a fan speed, and a disk drive usage of the processor-based system, wherein each performance-related criterion is associated with a separate selector of the plurality of selectors; and

a display comprising an indicator, wherein the indicator visually conveys a relative performance value for the processor-based system.

12. (ORIGINAL) The apparatus of claim 11, further comprising a first label and a second label, the first and second labels being disposed adjacent to the selector, wherein the first label designates a minimum setting of the selector and the second label designates a maximum setting of the selector.

13. (CURRENTLY AMENDED) The apparatus of claim 12, further comprising a plurality of light-emitting diodes, the plurality of light-emitting diodes being disposed adjacent to the selector, [wherin] wherein one or more of the plurality of light-emitting diodes changes to a first color when the selector is not at the minimum setting.

14. (CURRENTLY AMENDED) The apparatus of claim 13, wherein the [performance-related criteria comprise a processor clock rate] plurality of selectors comprises a first selector for controlling the processor clock rate and a second selector for controlling the fan speed, wherein the first and second selectors are independently controllable.

15. (ORIGINAL) The apparatus of claim 14, wherein the processor clock rate may exceed an optimum clock rate.

16. (ORIGINAL) The apparatus of claim 15, wherein one or more of the plurality of light-emitting diodes change to a second color when the processor clock rate exceeds the optimum clock rate.

17. (CURRENTLY AMENDED) The apparatus of claim 12, wherein the [performance-related criteria comprise a processor clock rate and a fan speed] plurality of selectors comprises a first selector for controlling both the processor clock rate and the fan speed, wherein adjustment of the first selector simultaneously controls the fan speed and the processor clock rate.

18. (ORIGINAL) The apparatus of claim 14, wherein the display further comprises a second indicator, wherein the second indicator visually conveys a processor temperature.

19. (CURRENTLY AMENDED) The apparatus of claim [17] 14, [wherein the performance-related criteria comprise disk drive usage], the plurality of selectors further comprising a third selector, the third selector being adjustable to modify the disk drive usage of the processor-based system by an application program, wherein the third selector adjusts between the application program being executed from the disk drive and being executed from a volatile memory.

20. (CANCELLED) The apparatus of claim 10, wherein the performance-related criteria comprise processor speed and fan speed, the apparatus further comprising a second selector, wherein the selector controls the processor speed and the second selector controls the fan speed.

21. (CURRENTLY AMENDED) A performance control application program, to be run on a processor-based system, the performance control application

program being viewable from a graphical user interface, the graphical user interface comprising:

a list of one or more software programs loaded into the processor-based system; and

a selector for altering a [first performance-based characteristic] a processing speed of the processor-based system;

wherein the [first performance-based characteristic] processing speed is altered while one software program of the one or more software programs is running on the processor-based system, but is not altered when the one software program is not running.

22. (CURRENTLY AMENDED) The performance control application program of claim 21, a portion of the one or more software programs being collected as a group, wherein the [first performance-based characteristic] processing speed is altered when any software program in the group is running.

23. (CURRENTLY AMENDED) The performance control application program of claim 22, the graphical user interface further comprising a second selector for altering a [second performance-based characteristic] system noise characteristic, wherein the first selector is independent of the second selector.

24. (CURRENTLY AMENDED) A performance control application program, to be run on a processor-based system, the performance control application program being viewable from a graphical user interface, the graphical user interface comprising:

a file type grouping, the file type grouping specifying a plurality of file extensions; and

a configuration profile associated with the file type grouping, wherein the configuration profile specifies [a set of performance criteria for] adjusting the speed of one or more fans operating within the processor-based system;

wherein the processor-based system automatically sets the configuration profile when a file having one of the plurality of file extensions is run.

25. (CURRENTLY AMENDED) The performance control application program of claim 24, further comprising:

a second file type grouping, the file type grouping specifying a second plurality of file extensions, the second plurality of file extensions being distinct from the first plurality of file extensions; and

a second configuration profile associated with the second file type grouping, wherein the second configuration profile specifies [a second set of performance criteria for] adjusting a processor clock rate of the processor-based system[;

wherein the second set of performance criteria is different than the set of performance criteria].

26. (CANCELLED) The performance control application program of claim 25, wherein the set of performance criteria comprise adjusting the speed of one or more fans operating within the processor-based system.

27. (CANCELLED) The performance control application program of claim 25, wherein the second set of performance criteria comprise adjusting a processor clock rate.